



UNITED STATES  
DEPARTMENT OF LABOR

Promoting and Protecting Opportunity

## DOL News Brief

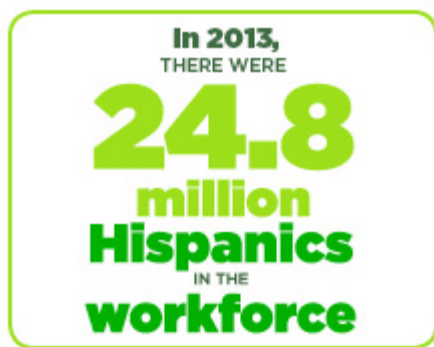
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September 18, 2014

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WINNER OF 2014 AVA DIGITAL GOLD AWARD

## BY THE NUMBERS



## (Work in Progress) The Best of Our Blog

Each week, this space will bring you the best from our ([Work in Progress](#)) blog.

- [Women Veterans Show Their Colors in Tech Competition](#): Terry Gerton, deputy assistant secretary of labor for policy at the Veterans' Employment and Training Service, recounts her recent trip to California, where she attended the first VetsInTech Women Veterans Hackathon. The event brought together women veterans of all eras who were interested in starting a business to pitch their ideas, get technical advice and compete for seed funding.
- ["It Changed My Life Forever"](#): Our Job Corps Stories: As part of the Job Corps 50th anniversary celebration, Job Corps graduates have taken the time to share their experience with the program. Chris, Mark and Ramiro — three Job Corps graduates — discuss how Job Corps helped them overcome adversity and succeed.
- [A Woman's Place — In Tech](#): Recently, several Internet companies have released self-reported workforce diversity data that illustrate women hold a small percentage of the tech jobs at these companies. While these numbers may be disheartening, it's encouraging that companies are beginning to hold themselves accountable, Latifa Lyles, director of the Women's Bureau, writes.

## What's New

Putting a Spotlight on Apprenticeship, and Learning What Works

The department will be announcing a \$100 million grant competition this fall to expand American apprenticeship programs to more industries, as part of President Obama's commitment to double the number of apprenticeship programs over the next five years. On Sept. 15, Dr. Jill



Biden, wife of Vice President Biden, traveled to Zurich, Switzerland, to learn more about that country's successful career and technical education programs and to speak at an international forum. Dr. Biden toured an apprenticeship program run by Buhler, a manufacturing company based in Switzerland with facilities in the United States. Following the tour, she delivered the keynote address at the International Congress on Vocational and Professional Education and Training. Her address focused on the Obama administration's commitment to higher education and job training programs to ensure American workers have the skills they need to succeed in the global economy. Eric Seleznow, the department's deputy assistant secretary for employment and training, joined Dr. Biden on the trip.

- [Watch Dr. Biden's Keynote Address](#)
- [Learn About Apprenticeships](#)

## Faith Leaders Say Raise the Wage



Leaders of the Christian, Jewish and Muslim faiths gathered at a meeting convened by U.S. Secretary of Labor Thomas E. Perez on Sept. 16 to hear about issues facing low-income workers, especially the need to raise the national minimum wage. Perez, who has traveled around the country meeting with

business owners and workers over the past year, cited the grass-roots momentum to lift wages since President Obama first called on Congress to raise the national minimum wage in 2013. "We've made a lot of progress on the local level," he said. "But way too many people who have a job are still struggling." According to Elizabeth Wilson, vice president for economic development for Church of God in Christ Urban Initiatives who attended the meeting, "a minimum wage increase would help people take care of themselves, their families and communities." Taquiena Boston, director of



This week's phrase is YouthBuild, which is a successful nationwide training program that helps at-risk youth get a high school diploma and gain skills and credentials that lead to careers in construction and other high-demand industries.

- [Learn More About YouthBuild](#)
- [See All the A-Z Terms](#)

## Black Lung Clinicians Updated

The National Coalition of Black Lung and Respiratory Disease Clinics held its National Conference in Pittsburgh, where



Joseph A. Main, assistant secretary of labor for the mine health and safety administration, spoke Sept. 11 regarding enhanced worker protections, improvements on mine health and safety and the details of the final rule on respirable coal dust. Division of Coal Mine Workers Compensation Director Michael Chance also spoke to the audience of medical and legal professionals and other government officials on topics including program improvement initiatives related to recent media and Congressional interest and the current state of the recently launched 413(b) physician pilot project. The trend for new black lung claims is on the rise, up 20 percent over the number of claims filed in 2012.

- [Learn About the National Coalition](#)
- [Learn About the Final Dust Rule](#)
- [Learn About the Black Lung Program](#)

## AAPI Worker Rights in Houston

As a part of the White House Initiative on Asian Americans and Pacific Islanders, two listening sessions were held in Houston on Sept. 13 and 14 to hear from AAPI workers and stakeholders about the unique labor challenges they face. Coordinated through a federal interagency working group that includes the Department of Labor, the Department of Justice and the Equal Opportunity Employment Commission, these events kicked off a series of upcoming listening sessions with the AAPI community across the country. Deputy Administrator for the Wage and Hour Division Laura Fortman attended both sessions in Houston where she presented on WHD's mission, enforcement responsibilities, outreach efforts and the agency's overall commitment to protecting and serving AAPI workers.

- [Learn About WHIAAPI](#)

Multicultural Growth and Witness for the Unitarian Universalist Association, told the gathering that a minimum wage boost would have a ripple effect that benefits everyone. "We all have a stake in the economic outcomes of this country," she said.

- [Read the Blog Post](#)

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## National News

### \$87 Million to Improve State Unemployment Insurance Programs

More than \$87 million to 46 states, the District of Columbia, Puerto Rico and the Virgin Islands to implement programs and activities improving unemployment insurance agencies was announced by the department on Sept. 15. Approximately \$82 million will go toward efforts that reduce improper payments and ensure only those eligible for benefits receive payments. States receiving these funds are committed to implement programs that improve the detection, prevention and recovery of UI improper payments. The remaining \$5 million will help expand or implement re-employment eligibility assessments. REA programs allow individuals to obtain skills assessment at American Job Centers around the country and are known to help speed up the employment of participants.

- [Read the News Release](#)

### Proposed Rule Prohibits Federal Contractors From Having Pay Secrecy

A regulation proposed this week could improve pay transparency for millions of workers. The Office of Federal Contract Compliance Programs on Sept. 17 published the proposed rule, which would prohibit federal contractors and subcontractors could not fire or discriminate against any employee or applicant for discussing, disclosing or inquiring about their compensation or that of another employee or applicant. "Workers cannot solve a problem unless they are able to identify it. And they cannot identify it if they aren't free to talk about it without fear of reprisal," said OFCCP Director Patricia A. Shiu. The rule will be open for public comment for 90 days.

- [Read the News Release](#)
- [Read the Blog Post](#)

### Assistance to Help States Combat Worker Misclassification

In another effort to address worker misclassification issues, the department awarded \$10.2 million on Sept. 15 to 19 state unemployment insurance agencies. The funding will be used to increase the ability of state UI tax programs to identify instances where employers are improperly classifying employees as independent contractors or fail to report the wages paid to workers. States receiving the grants will use it to enhance employer audit programs and conduct employer education initiatives, among other uses. Four states were also given a share of an additional \$2 million for their existing efforts to address misclassifications through the UI program.

- [Read the News Release](#)

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## International Scene

### Protecting Workers at Home and Abroad

Deputy Secretary of Labor Christopher P. Lu attended an event with U.S. Trade

## Safety Conference Draws Crowd

An estimated 14,000 safety professionals descended on San Diego Sept. 13 to 19 for the annual National Safety Council Congress and Expo, including representatives from the Occupational Safety and Health Administration. Dr. David Michaels, the assistant secretary of labor who heads OSHA, was on hand to give a keynote address about the dangers temporary and contract employees face in the workplace, while Deputy Director of OSHA's Directorate of Enforcement Patrick Kapust revealed a preliminary listing of "The Top Ten Most-Cited Safety Violations for 2014" during his presentation.

- [See 2013 Top Ten Most-Cited Safety Violations](#)

## Mine Safety Outreach

A recent spike in mine fatalities was the focus of remarks on Sept. 16 by Assistant Secretary of Labor for Mine Safety and Health Joseph A. Main in Kansas City, Mo. Main spoke at a regional stakeholder meeting to representatives from regional aggregate associations. Training miners, equipment maintenance and conducting thorough workplace examinations are key factors in improving safety, Main said. Since October 2013, there have been 26 deaths at metal and nonmetal mines. More must be done to prevent fatalities, Main said, and progress is being made in key areas, including efforts to improve consistency and compliance in fall protection, hazard communication, and guarding.

## Focus on Women Veterans



Educational institutions and nonprofit service providers gathered in Newburgh, N.Y., on Sept. 10 for a workshop on improving services to women

veterans. Hosted by the Women's Bureau in conjunction with Mount Saint Mary College, officials from Long Island University, Mental Health Association in Orange County, WestCop, U.S. Military Academy — West Point, and YWCA of Orange County were among the participants in a facilitated workshop on providing services in a trauma-informed manner. Since 2010, the Women's Bureau has been working with organizations to tailor their service provision to the needs of women transitioning from their military to civilian careers. "After years working together serving veterans, this was the first time we have ever met to talk specifically about the needs of women veterans," said Sharon Seidule, West Point program coordinator at Mount Saint Mary College.



Representative Michael Froman, AFL-CIO President Richard Trumka and members of Congress on Sept. 18 to announce that the United States is proceeding with the labor enforcement case against

Guatemala under the Dominican Republic-Central America-United States Free Trade Agreement. Although the United States and Guatemala signed a groundbreaking Enforcement Plan in April 2013, Guatemala has failed to take the necessary next steps to fully implement the plan. "The labor commitments in our free trade agreements are more than just words on a page," said Lu. "They represent the faces of men and women seeking fair treatment, basic respect and a chance to earn a living that can support their families."

- [Read the News Release](#)
- [Learn About the CAFTA-DR](#)

## Enhancing Monitoring for Child Labor Elimination Projects

The Bureau of International Labor Affairs announced a \$1 million competitive solicitation of applications for a cooperative agreement to develop a beneficiary monitoring toolkit for its international child labor elimination projects. "Our projects provide educational and livelihood services to reduce the incidence of child labor, and this toolkit will help inform the department and our grantees about whether these projects are achieving their intended results," said Deputy Undersecretary for International Affairs Carol Pier. Monitoring systems are already a requirement for all department-funded projects offering direct services to children and families as a strategy for reducing child labor in target countries, so this toolkit will streamline the development of this system for potential grantees in the future.

- [Read the News Release](#)
- [Learn About ILAB Grants](#)

## Around DOL

### A Government That Looks Like America



Emphasizing the importance of diversity at all levels of federal service, on Sept. 17 Secretary Perez addressed about 300 people at the closing session of a two-day workshop convened by the Federal Training Institute Partnership. FTIP is a joint initiative among several federal agencies — including the

department, which hosted this year's event — and the League of United Latin American Citizens, to prepare Latinos and others for leadership positions within the federal government. Perez discussed his strong belief in professional development and employee engagement at the Labor Department, as well as the imperative of having a federal workforce that truly represents the nation it serves.

- [Read the Blog Post](#)



- [Learn About the Women's Bureau](#)
- [Read the Trauma Guide](#)

## Safety a Priority at Museum Site

Workers constructing Philadelphia's new Museum of the American Revolution will be safer due to a partnership undertaken Sept. 11 by the



Occupational Safety and Health Administration and Intech Construction LLC. During the signing ceremony, Intech committed to providing a dedicated manager to implement a health and safety plan at the construction site. The partnership's major goal is to reduce the average rate of injuries by 3 percent and further strengthen the relationship between the organizations. The American Revolution Museum involves 118,000 square feet of new construction, including exhibition and gallery space, theaters, education spaces, administration offices and a café.

## Strong Bonds With China



Representatives from the Wage and Hour Division's Los Angeles and West Covina district offices attended a ceremony commemorating the 35-

year anniversary of normalized diplomatic relationships between the United States and China. The Chinese Consul-General praised the division as a strong community partner for helping overseas Chinese businesses and employees understand labor laws, for maintaining a good working relationship with the Chinese consulate in Los Angeles, and for coordinating outreach efforts to Chinese-state-owned enterprises operating in the United States. An estimated 100 people attended the event held at the Los Angeles-area Chamber of Commerce on Sept. 9.

## Native American Employment



In an effort to educate the growing Native American community in Central and Eastern Virginia about federal contracting opportunities in the

construction industry, the Office of Federal Contract Compliance Programs held an educational and economic impact event on Sept. 11 in Richmond, Va. Attendees received instruction on how to bid for construction contracts, and information on small business set-aside programs, laws covered by OFCCP, and best practices for federal contractors to attain outreach requirements for minority job seekers.

## News You Can Use

### Keeping Small Business Healthy

Open enrollment for individuals seeking health care insurance through the Affordable Care Act begins Nov. 15, but small businesses can apply at any time. So what does that mean for small business owners? A weekly webinar offers information on the basics of the act and how it affects small employers and their staffs. Each week's webinar will cover issues such as cost containment, tax credits, the Health Insurance Marketplace and employer shared responsibility, and there are plenty of opportunities to catch a session before November.

- [Read More About the Webinars](#)

## DOL Working for You

### Job Training Helps Unemployed Atlantan Transition to Success

Diarra Davis of Atlanta was jobless and unable to support his seven children. After losing his driver's license, due to child support delinquency, he was unable to work and had no hope for the future. Davis then enrolled in Goodwill's Good Transitions program. The program, funded by a grant from the department through the workforce development initiative, is a pilot grant project designed to provide non-custodial parents with training and support to gain employment and support their families. Good Transitions helped Davis get his driver's license restored and provided him intensive job skills training. Davis was able to attain a broadcasting certification as well as video production and editing training, ultimately leading to a full-time marketing job with Ace Hardware in Atlanta. Davis is now able to support his family and is full of hope and pride. "Being able to benefit from the shared experiences from other program participants was really motivating," said Davis. "We shared a lot of support and encouragement for each other, and my case managers really believed in me."



## Of Note

### 'Healthy Mothers' Recognition in San Francisco



All Department of Labor agencies in San Francisco received the "Healthy Mothers Workplace Award of Excellence" during a ceremony on Sept. 15. The department was among 24 San Francisco-based employers who received the award by the Healthy Mothers Workplace Coalition, a collaboration of

nonprofit organizations, government agencies and employers that work to improve the working conditions and health of new parents. The department was recognized for its policies related to parental leave, lactation and work-family balance. The event brought together more than 80 leaders at companies, nonprofit organizations and government agencies.

- [Learn About Break Time for Nursing Mothers](#)

The Small Business Administration, Native American employment and training program Mattaponi-Pamunkey-Monacan Inc., and construction firm W.M. Jordan Co. were co-hosts.

- [Learn About OFCCP](#)

## Safety Training Partners in Omaha

Holder Construction Group LLC and the Occupational Safety and Health

Administration have established a strategic partnership to protect and educate workers on construction hazards during the building of the Oasis Data Center Project in Omaha, Neb. The partnership will focus on training employers and workers about hazards construction workers face daily on the job, including fall, electrical, caught-in and struck-by hazards. These hazards are the leading causes of injuries and fatalities in the construction industry. The 183,000-square-foot project is expected to be completed by September 2015.

- [Read the News Release](#)



## Outreach at Kansas State Fair



Wage and Hour Division staff from the Wichita, Kan., District Office and Mexican Consulate staff reached out to H-2B carnival workers at the Kansas

State Fair to let them know of their workplace protections. The joint outreach event was conducted on Sept. 10 and was initiated pursuant to the Ministerial Consultations Joint Declaration signed by the secretaries of labor in the United States and Mexico on April 3. Rebecca Rowles, an international relations officer from the Bureau of International Labor Affairs, was present to observe the outreach efforts. "The Wage and Hour Division is committed to ensuring that H-2B workers are paid all of the wages they have earned, and to ensuring the protections in place for U.S. workers are enforced when employers hire under this program," said Shannon Rebollo, the Wage and Hour Division assistant district director for the Wichita office.

## Major Leaguer With a Message

Building on the alliance they established in May, the Professional Baseball Athletic Trainers Society and the Office of Disability Employment Policy have released a public service announcement to Major League Baseball clubs and their minor league affiliates. This PSA, featuring deaf outfielder Curtis Pride, is part of a multi-year outreach initiative to educate the public about the talents of people with disabilities in sports and in the workplace. Pride discusses the benefits of being accepted for his talent during his

## DOL in Action

Construction Company Settles Discrimination Case, Will Pay \$900,000

Fort Myer Construction Corp. has agreed to settle discrimination and harassment charges at 413 construction sites in the D.C. metropolitan area. An agreement reached with the Office of Federal Contract Compliance Programs resolves allegations that the company discriminated in hiring and pay against qualified women, African American and Hispanic laborers. During their investigation, OFCCP compliance officers were alerted to dozens of charges of harassment, intimidation, threats and coercion at work. The company has agreed to pay \$900,000 in back wages and interest to 371 class members and make 37 job offers as positions become available. "Strong enforcement and vigilance are critical to opening doors of opportunity for more women and minorities in the construction industry," said OFCCP Director Patricia A. Shiu.

- [Read the News Release](#)

Shell, Motiva to Pay Nearly \$4.5 Million in Back Wages

Shell Oil Co. and Motiva Enterprises LLC, have agreed to pay \$4,470,764 in overtime back wages to 2,677 current and former chemical and refinery workers. The Wage and Hour Division conducted investigations at eight Shell and Motiva facilities in Alabama, California, Louisiana, Texas and Washington, which found that the companies violated the Fair Labor Standards Act's overtime provisions by not paying workers for all hours worked, including the time spent at mandatory pre-shift meetings. "Whether in the international oil industry, as in this case, or a local family-run restaurant, the Labor Department is working to ensure that responsible employers do not experience a competitive disadvantage because they play by the rules," said Secretary Perez.

- [Read the News Release](#)

Cut Stone Manufacturer Faces Nearly \$235,000 in Fines

Cut limestone manufacturer Mezger Enterprises Ltd. has been cited for 27 safety and health violations, including two willful, by the Occupational Safety and Health Administration. According to OSHA, the company exposed workers to unguarded machines, unsafe electrical equipment, infrequent crane inspections and noise levels that could cause hearing loss at its Lueders, Texas, facility. OSHA's Austin Area Office initially conducted a health inspection in March as part of the agency's Regional Emphasis Program for Noise. The two willful violations were cited for failure to conduct hearing tests for workers exposed to noise levels exceeding 90 decibels and failure to guard large, circular stone saws. Proposed penalties total \$234,900.

- [Read the News Release](#)

Railroad Disciplined Conductor Who Took Doctor-Ordered Leave

Canadian National Railway, doing business as Chicago Central and Pacific Railroad, has been found in violation of the Federal Railroad Safety Act by the Occupational Safety and Health Administration for disciplining an employee at its Fort Dodge, Iowa, Yard complex for taking doctor-ordered time off. The company has been ordered to pay the conductor \$2,000 in compensatory damages, remove disciplinary information from the employee's personnel record and provide whistleblower rights information to its employees. "The FRSA clearly states that it is illegal to discipline an employee for following doctor's orders," said Marcia P. Drumm, OSHA's acting regional administrator in Kansas City.

- [Read the News Release](#)

Repeat Safety and Health Violations Found at West Virginia Sawmill

11 years in the Major League, and urges everyone to give people with disabilities an opportunity to prove themselves. The PSA refers viewers to ODEP's resources on issues including accessibility, accommodation and employment.

- [View the Video](#)
- [Learn About This Alliance](#)

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## Domestic Violence and Work

More than 250 workforce development professionals, advocates, employers, academics and employees participated in a Sept. 10 webinar on supporting survivors of domestic violence. Shared resources and best practices for addressing some of the unique workforce challenges that survivors face were discussed on the webinar hosted by the Women's Bureau with the Employment and Training Administration and the National Network to End Domestic Violence. "Without the appropriate support and flexibility, it can be difficult for survivors to achieve the financial independence they need to secure their own personal safety," said Women's Bureau Regional Administrator Grace Protos. "With three in four women being impacted by domestic violence or sexual assault by an intimate partner at some point in her lifetime, this issue cannot be ignored."

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## Health Benefits Data Discussion

Nearly two dozen health-care benefits experts joined the Bureau of Labor Statistics Sept. 12 to discuss possible changes in employment-based health-care benefits under the Affordable Care Act. BLS has been tracking information on the coverage, cost and provisions of health benefits for more than 30 years as part of the National Compensation Survey. In breakout sessions, participants discussed specific topics that might be affected by the ACA: coverage recipients and sponsors; how employee premiums may vary; changes anticipated in employer costs for health benefits; and likely plan provisions changes. Listening sessions like this help BLS learn about potential changes to employment-based health benefits and adapt its survey procedures accordingly.

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## Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 280,000 for the week ending Sept. 13, a decrease of 36,000 from the previous week's revised level. The four-week moving average was 299,500, down 4,750 from the previous week's revised average.

- [Read the News Release](#)

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## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

Two Occupational Safety and Health Administration investigations at Wayne Lumber and Mulch Inc. found employees were exposed to continued safety and health hazards. OSHA cited two willful, six repeat, 31 serious, and five other-than-serious violations at the company's sawmill in Wayne, W.Va. The cited violations included failure to check fire extinguishers annually and maintain them for emergencies, an elevated mill platform not equipped with a stairway, and noise, fall and amputation hazards. Among the serious violations, OSHA cited the company for a violation of the agency's general duty clause for drop starting a chainsaw.

- [Read the News Release](#)

### Forestry Contractors to Pay \$541,000 in Back Wages

As a result of a three-year multiagency investigation, five South Dakota forestry contractors have been ordered by the U.S. District Court for the District of South Dakota to pay more than \$541,000 to 66 workers. Investigators found significant violations of the Service Contract Act, Contract Work Hours and Safety Standards Act, Migrant and Seasonal Agricultural Worker Protection Act and the Fair Labor Standards Act. The owners of Munoz Logging and Construction, Black Hills Thinning, Escalante Logging & Thinning, Escalante Thinning and SM Logging & Services accepted plea bargains for convictions on violations of several statutes. The five logging companies worked on contracts awarded by the U.S. Forest Service for projects in the Black Hills National Forest near Rapid City, S.D.

- [Read the News Release](#)

### Combustible Dust Hazards at Ohio Rubber Products Plant

Portage Precision Polymers of Ravenna, Ohio, has been cited for 15 serious safety and health violations by the Occupational Safety and Health Administration after a complaint on March 13 prompted an inspection. Many of the citations issued to the rubber products manufacturing plant were for exposing workers to combustible dust and amputation hazards. The violations carry proposed penalties of \$61,600.

- [Read the News Release](#)

### Worker Fatally Engulfed in South Dakota Grain Elevator

A 51-year-old worker was fatally injured when he became engulfed in flowing grain in a railcar load-out elevator at Prairie Ag Partners in Lake Preston, S.D., on March 15. The Occupational Safety and Health Administration has cited the company for one willful, two repeat and eight serious safety violations, many involving OSHA's grain handling, permit-required confined space and fall protection safety regulations. The company has been placed in the Severe Violator Enforcement Program. "Allowing workers to move grain while machines are operating can cause the worker to become entangled in this dangerous equipment and become submerged. That is what happened in this case, and a worker paid with his life," said Eric Brooks, OSHA's area director in Bismarck, N.D.

- [Read the News Release](#)

### Illinois Foundry Repeatedly Violates Safety Standards

KVK Foundry Inc. has been cited for two willful and two repeat violations by the Occupational Safety and Health Administration. A March 2014 follow-up inspection found the Millington, Ill.-based company failed to maintain requirements of OSHA's respiratory protection and hearing conservation standards. The foundry, which specializes in aluminum sand casting, was previously cited for these violations in December 2012. OSHA has proposed additional penalties of \$48,928.

- [Read the News Release](#)

### Damages Sought for Wrongly Terminated Mechanic

The department has filed a lawsuit in the U.S. District Court for the District of Idaho against Sandpoint Gas 'n' Go & Lube Center Inc., in Sandpoint, Idaho, and its owner Sydney M. Oskoui, individually, for violating the



OFCCP — Construction 16 EEO & Affirmative Action Requirements

- [September 23 — Atlanta, GA](#)

OFCCP — Opening Doorways to Diversity

- [September 24 — Dallas, TX](#)

OFCCP — Understanding AAP Requirements

- [October 9 — Houston, TX](#)

OFCCP — Understanding the Nuts and Bolts of a Construction Audit

- [October 9 — Houston, TX](#)

OLMS — Compliance Assistance Seminar

- [September 22 — Las Vegas, NV](#)

OWCP — Town Hall Meetings to assist nuclear weapons workers

- [September 23 — Amherst, NY](#)
- [September 25 — Rochester, NY](#)

OSHA — Stakeholder Meeting on Improving OSHA's Nationally Recognized Testing Laboratory Program

- [October 22 — Washington, DC](#)

VETS — Meeting of the Advisory Committee on Veterans' Employment, Training and Employer Outreach (ACVETEO)

- [October 2 — Washington, DC](#)

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whistleblower protection provisions of the Occupational Safety and Health Act of 1970. Following an investigation, the department determined that a mechanic was fired for filing a safety complaint with OSHA's Boise Area Office. The employer is expected to pay to the fired employee back wages with interest, benefits and punitive damages.

- [Read the News Release](#)

Delivery Drivers Misclassified as Independent Contractors

Delivery Driver Solutions, an auto parts delivery service in Sun City, Ariz., has paid \$80,000 in back wages due to 240 employees for overtime violations. An investigation by the Wage and Hour Division established that the employer misclassified company drivers as independent contractors. The workers delivered auto parts from retailers to auto repair shops and dealerships located throughout the Phoenix metro area. They were paid a flat daily rate for all hours worked, including overtime, without regard to the additional pay of one and one-half times their regular rates for every hour worked beyond 40 per week, as required. The employer also failed to keep an accurate record of hours worked by all non-exempt employees.

Fall Hazards Found at Philadelphia Residential Construction Site

Lansdowne, Pa.-based masonry contractor JC Stucco and Stone Inc. has been cited by the Occupational Safety and Health Administration for exposing employees to fall hazards at a residential construction site in Philadelphia. The company received three willful and three repeat safety violations following OSHA's March inspection, initiated in response to an imminent threat to worker safety at the site. The company has been placed in OSHA's Severe Violator Enforcement Program and Penalties of \$235,700 have been proposed.

- [Read the News Release](#)

Minnesota Subway Franchise Owner Falsified Time Records

The owner of a Subway sandwich franchise that failed to pay minimum wages and shaved hours from employees' time records will pay 16 workers a total of \$9,800 in back wages and liquidated damages under terms of a consent judgment issued by the U.S. District Court for the District of Minnesota. The Wage and Hour Division found violations of the Fair Labor Standards Act by Subway of Buffalo Inc. and one of its owners and store manager, Marvin Baugus, which resulted in the lawsuit. "It is unfortunate that there are employers that believe they can exploit vulnerable workers. This judgment will put hard-earned wages back into the pockets of workers," said Theresa Walls, district director for the Wage and Hour Division in Minneapolis.

- [Read the News Release](#)

Cleveland Workers Exposed to Dangerous Machine Hazards

After a complaint inspection found workers were exposed to amputation hazards from improperly guarded mechanical power presses, MCM Industries Co. was cited for one willful and 17 serious safety and health violations. The Occupational Safety and Health Administration has proposed penalties of \$126,700 for the Cleveland manufacturing plant, which produces special coiled steel products and springs for the transportation, automotive and agricultural industries.

- [Read the News Release](#)

Alabama Plant Discrimination Suit Settled

Federal contractor Hillshire Brands Co., formerly Sara Lee Food & Beverage, has entered into an agreement with the Office of Federal Contract Compliance Programs, to resolve claims of systemic hiring discrimination. The settlement follows an investigation by OFCCP that determined Hillshire violated Executive Order 11246 by discriminating against 2,474 men who applied for semiskilled machine operator jobs at the

## Tweets

 Follow



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2h

#TBT 1943: Celia Dominguez works on a @Boeing B-17 airplane during WWII.  
#HispanicHeritageMonth  
[pic.twitter.com/hurPLOFZ2x](http://pic.twitter.com/hurPLOFZ2x)

 Show Photo



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5 Policies for Improving Data Use to

Accelerate [#Veteran](#) Employment  
[ampr.gs/ZrxP0X](#) via [@amprog](#)

company's sandwich production plant in Florence, Ala. OFCCP investigators found that these men were steered into dumper/stacker jobs, and women were generally steered into biscuit assembler jobs, despite the fact that both positions required the same qualifications. Under the terms of the conciliation agreement, Hillshire will pay \$330,000 in back wages, interest and benefits to the rejected male applicants and make 73 job offers to the original class members as positions become available.

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